

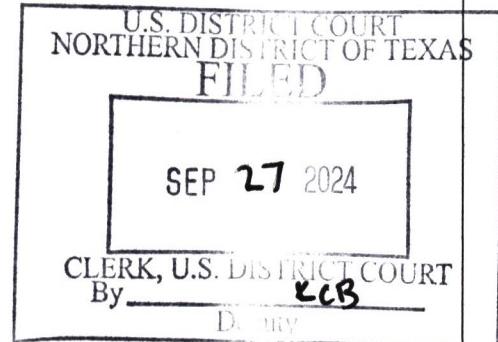
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Jeremiah McCall  
Plaintiff,  
v.  
Credit Control LLC;

3 - 24 CV 2442 - L  
CASE NO.

Complaint for a civil case

Jury Trial:  Yes  No



### Introduction

1. This is a civil action for actual, statutory damages and cost brought by Jeremiah McCall ("Plaintiff") an individual consumer, against defendant, Credit Control LLC ("CCL") for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 et seq. (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

### Jurisdiction

2. Jurisdiction of this court arises under 15 U.S.C § 1681(P), 15 U.S.C § 1692 K(d) and 28 U.S.C § 1391 B(2) because a substantial part of the events, omissions, or conduct giving rise to plaintiff claim occurred in this judicial district. Defendant ("CCL") transact business in Dallas, Texas.

3. The court has supplemental jurisdiction of any state law pursuant to 28 U.S.C § 1337.

## Parties

4. Plaintiff, Jeremiah McCall is a natural person and consumer as defined by 15 U.S.C § 1681 a(c), residing in Dallas, Texas.

5. Upon information and belief, Defendant, Credit Control LLC is a Missouri

Corporation with a principal place of business located at **3300 Rider Trl S**

**SUITE 500 Earth City, MO 63045**

6. Defendant, CCL has a Registered Agent by the name of Richard Saffer with a principal place of business located at 3300 Rider Trl S Suite 500 Earth City, MO 63045

7. Defendant CCL., is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempt to collect consumers' debts alleged to be due to another's. The alleged debt arose from a financial obligation that was primarily for personal, family or household purposes and is therefore a "debt as that term is defined by 15 U.S.C. §1692a(5).

8. The acts as described in this complaint were performed by defendants or on defendant's behalf by its owners, officers, agents, and/or employees acting within the scope of their actual or apparent authority. As such, all references to "defendant" or their owners, agents, and/or employees.

### **Factual Allegations**

9. Defendant CCL., (hereinafter referred to as “Debt Collector”) is a “debt collector” as defined by the FDCPA, 15 U.S.C 1692a(6)

10. The primary and principal business of the defendant is to collect on alleged defaulted debts

1       11. The defendant obtained an alleged debt regarding the Plaintiff in or Around August of  
2 2020.

3       11. On or about July 2024, the Plaintiff noticed he was receiving emails and letters from  
4 the defendant trying to collect on an alleged debt from Verizon.

5       12. On or around August 20<sup>th</sup>, the plaintiff communicated to the defendant through email  
6 that they refuse to pay the debt.

7       13. On or around August 27<sup>th</sup>, CCL sent another email to the Plaintiff attempting to  
8 collect on the same debt that the Plaintiff wrote the “refusal to pay the debt” which is a violation  
9 of 15 U.S.C 1692c(c). The defendant also sent multiple letters in or around September 2024  
10 attempting to collect on the debt.

11       14. Despite the Plaintiffs request to cease communication with him, in an attempt to  
12 harass, oppress, and intimidate the Plaintiff, the defendant proceeded to communicate with the  
13 plaintiff regarding the debt.

14       15. All of the above actions by defendants and collection agents of defendants were made  
15 in violation of the FDCPA as will be described below.

16       16. Plaintiff has the interest and right to be free from deceptive, misleading collection  
17 efforts.

18       17. Plaintiff has the interest and right to privacy from individuals harassing him in an  
19 attempt to collect a debt after the Plaintiff has invoked his rights by notifying the debt collector  
20 how to communicate with him.

21       18. Plaintiff has the interest and right to be free from harassment due to debt collectors  
22 trying to collect on an “alleged” debt.

23       19. Plaintiff’s injury is “particularized” and “actual” in that the conduct that deprived  
24 plaintiff of their rights was directed by Defendant to plaintiff specifically.

1           20. Plaintiff's injury is directly traceable to Defendants conduct because if it wasn't for  
2 the Defendants conducts, Plaintiff would not have been deprived of his rights.

3           21. Defendant, CCL, caused the Plaintiff emotional distress, mental anguish, Loss of time  
4 due to learning how to defend himself against the Defendant, invasion of privacy, anxiety due to  
5 efforts to try and collect this "alleged debt without regard for the law, fear due to harassment  
6 which has led to sleepless nights, and psychological harm.

7           22. The Plaintiff request that defendant compensate him for damages due to the FDCPA  
8 violation(s) under 15 USC § 1692k.

9           23. Plaintiff justifiably fears that, absent this court's intervention, Defendant CCL will  
10 continue to use abusive, deceptive, unfair, and unlawful means in its attempts to collect alleged  
11 debts.

12           24. The deprivation of Plaintiff's rights will be redressed by a favorable decision herein.

13           25. A favorable decision herein would redress Plaintiffs injury with money damages.

14           26. A favorable decision herein would server to defer Defendant from further similar  
15 conduct.

16           **Count 1 Violation of the Fair Debt Collection Practices Act**

17           **(CCL)**

18           27. Plaintiff reincorporates by referencing all the preceding paragraphs.

19           28. According to 15 U.S.C 1692c(c) Ceasing communication

20           If a consumer notifies a debt collector in writing that the consumer refuses to pay a debt  
21 or that the consumer wishes the debt collector to cease further communication with the  
22 consumer, the debt collector shall not communicate further with the consumer with respect to  
23 such debt, except—

24           (1)to advise the consumer that the debt collector's further efforts are being terminated;

(2)to notify the consumer that the debt collector or creditor may invoke specified remedies which are ordinarily invoked by such debt collector or creditor; or

(3)where applicable, to notify the consumer that the debt collector or creditor intends to invoke a specified remedy.

29. As is the Plaintiff's right under the FDCPA, the Plaintiff wrote to the defendant that he refuses to pay the debt on August 20<sup>th</sup> 2024. Despite the plaintiffs notice, the defendant continued to communicate with the Plaintiff in an attempt to collect the debt on August 27<sup>th</sup> 2024 through email and also sent multiple letters in September 2024 in an attempt to collect the debt.

30. Despite the Plaintiffs clear instructions, in an attempt to harass, oppress, and intimidate the Plaintiff, the defendant proceeded to communicate with the Plaintiff in attempts to collect a debt that he clearly stated to the defendant that he refused to pay.

31. Despite the Plaintiffs communication that he refuses to pay the debt, in an attempt to harass, oppress, and intimidate the Plaintiff, the defendant proceeded to send multiple communications to the Plaintiff in an attempt to collect the debt after the plaintiff advised them that he refuses to pay the debt which is a violation of 15 U.S.C 1692c(c).

32. Defendant, CCL, violated the Fair Debt Collection Practices Act as follows:

33. The Debt Collector's violations include, but are not limited to, the following: The Debt Collector violated 15 U.S.C § 1692c(c) of the FDCPA by communicating with the plaintiff after the Plaintiff communicated to them that he refuses to pay the debt.

34. The defendant is in violation of 15 U.S. Code § 1692d by engaging in conduct in which the natural consequence was harassing, oppressive, and abusive to the plaintiff.

35. As a result of these violations, the Defendant, CCL, caused the Plaintiff emotional distress, mental anguish, Loss of time due to learning how to defend himself against the Defendant, invasion of privacy, anxiety due to efforts to try and collect this “alleged debt without

1 regard for the law, fear due to harassment which has led to sleepless nights, and psychological  
2 harm.

3 36. As a result of the above violations of the FDCPA, Defendant are liable to the Mr.  
4 McCall for the following:

- 5 A. Judgment for the violations occurred for violating the FDCPA;  
6 B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);  
7 C. Statutory damages pursuant to 15 U.S.C 1692k(2);  
8 D. Cost pursuant to 15 U.S.C 1692k(3); E. For such other and further relief as the Court  
9 may deem just and proper.

10 **Jury Demand and Prayer For Relief**

11 Wherefore Plaintiff, Jeremiah McCall respectfully demands a trial by Jury and request that  
12 judgement be entered in favor of the Plaintiff against the Defendant for:

- 13 A. Judgment for the violations occurred for violating the FDCPA;  
14 B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);  
15 C. Statutory damages pursuant to 15 U.S.C 1692k(2);  
16 D. Cost pursuant to 15 U.S.C 1692k(3); E. For such other and further relief as the Court  
17 may deem just and proper.

18  
19 Date:

20 \_\_\_\_\_ 09/23/2024 \_\_\_\_\_

21 YOUR NAME: Jeremiah McCall

22 EMAIL: Mccallinfo1993@gmail.com

23 Phone Number: 469-404-2061

24 Adress: 2045 S Forum Dr Apt 4211 Grand Prarie, Tx 75052

**CIVIL COVER SHEET 3 - 24 CV 2442 - L**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Jeremiah McCall Mccallinfo1993@gmail.com  
2045 S Forum Dr Apt 4211 Grand Prairie, Tx 75052

(b) County of Residence of First Listed Plaintiff Dallas  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

**DEFENDANTS**

Credit Control LLC

County of Residence of First Listed Defendant Dallas

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

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SEP 27 2024

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**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |  |  |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)   |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<b>INTELLECTUAL PROPERTY RIGHTS</b>	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Personal Injury	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 395 Product Liability	<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 400 Other Civil Rights	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 411 Voting	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
		<input type="checkbox"/> 422 Employment	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input checked="" type="checkbox"/> 890 Other Statutory Actions
		<input type="checkbox"/> 442 Housing/ Accommodations	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 891 Agricultural Acts
		<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 893 Environmental Matters
		<input type="checkbox"/> 446 Amer. w/Disabilities - Other		<input type="checkbox"/> 895 Freedom of Information Act
		<input type="checkbox"/> 448 Education		<input type="checkbox"/> 896 Arbitration
				<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
				<input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<b>Habeas Corpus:</b>	<input type="checkbox"/> 790 Other Labor Litigation	
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 791 Employee Retirement Income Security Act	
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence		
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General		
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty		
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<b>Other:</b>		
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other		
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		
			<b>IMMIGRATION</b>	
			<input type="checkbox"/> 462 Naturalization Application	
			<input type="checkbox"/> 465 Other Immigration Actions	

**V. ORIGIN** (Place an "X" in One Box Only)

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|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
15 USC 1681 and 15 USC 1681e(b)

**VI. CAUSE OF ACTION**

Brief description of cause:  
Violations of the Fair Credit Reporting Act

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION  
UNDER RULE 23, F.R.Cv.P.

**DEMAND \$**

CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  Yes  No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE

SIGNATURE OF ATTORNEY OF RECORD

09/23/2024

Jeremiah McCall

**FOR OFFICE USE ONLY**

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE



**EMS**

X-RAY

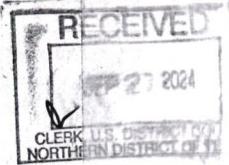
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